

**Court of Appeals, Division One**

**Criminal**

**1 CA-CR 15-0630**

**STATE v. TRACY**

**Appellate Case Information**

Case Filed: 25-Sep-2015  
Case Closed:

**Dept/Composition**

**Department C**

Hon. Diane M Johnsen  
Hon. Jon W Thompson  
Hon. John C Gemmill

**Side 1. STATE OF ARIZONA, Appellee**

(Litigant Group) STATE OF ARIZONA

- State of Arizona

**Attorneys for: Appellee**

Eliza Ybarra, Esq. (AZ Bar No. 22395)

**Side 2. TODD STERLING TRACY, Appellant**

(Litigant Group) TODD STERLING TRACY

- Todd Sterling Tracy

**Attorneys for: Appellant**

Harriette P Levitt, Esq. (AZ Bar No. 7077)

**CASE STATUS**

Jan 5, 2017.....Decision Rendered

PREDECESSOR CASE(S)	Cause/Charge/Class	Judgment/Sentence	Judge, Role <Comments>	Trial	Dispo
MOH S8015CR201201255	See File	See File	Steven F Conn, Sentencing	JURY	

**2 OPEN DUE DATES**

**Motion for Reconsideration due**

**Due By:** Wednesday, January 25, 2017

Re: MEMORANDUM DECISION (Affirmed) Hon Jon W Thompson - Author; Hon Diane M Johnsen - Concur; Hon John C Gemmill - Concur

**Petition for Review to ASC due**

**Due By:** Thursday, February 9, 2017

Re: MEMORANDUM DECISION (Affirmed) Hon Jon W Thompson - Author; Hon Diane M Johnsen - Concur; Hon John C Gemmill - Concur

**CASE DECISION**

**05-Jan-2017 MEMORANDUM DECISION**

Jon Thompson.....Author  
Diane Johnsen.....Concur  
John Gemmill.....Concur

Filed: 05-Jan-2017

Mandate:

Decision Disposition

**Affirmed**

**41 PROCEEDING ENTRIES**

- 25-Sep-2015 FILED: Notice of Appeal from Mohave County Superior Court filed 09/18/15. Notification sent to Court Reporters dated 09/21/2015.
- 25-Sep-2015 FILED: e-Record on Appeal:  
Instruments/Minute Entries: Combined  
Disposition Report: None  
Exhibits: Hearing Date 07/23/2015 List - # 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80
- 28-Sep-2015 FILED: Order from Mohave Superior Court directing the Office of Indigent Services to assign an attorney to represent the Defendant on appeal
- 30-Sep-2015 ORDERED: Appointing Navajo [sic] County Public Defender as counsel for appellant. FURTHER ORDERED: Transcripts due 11/13/15. Anthony Mackey ProTem Judge - Author

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5. 1-Oct-2015 FILED: Reporters Transcript 08/31/2015 (James Glover)
6. 2-Oct-2015 FILED: Reporter's Transcript - 7/30/15 - Jury Trial - Day 3 (Theresa Salsberry)
7. 8-Oct-2015 FILED: Courtesy Copy of Notice of Assignment from Indigent Defense Administrator
8. 26-Oct-2015 FILED: Notice of Appearance; Certificate of Service; Notice of Assignment (Appellant)
9. 10-Nov-2015 FILED: Motion for Extension of Time to File Transcripts (Kimberly Faehn)
10. 12-Nov-2015 ORDERED: Motion for Extension of Time to File Transcripts (Kimberly Faehn) = GRANTED. Due Dates EXTENDED to 12/14/2015 for Transcripts dated 07/29/2015, 07/31/2015 or OSC 12/16/15. Hon Samuel A Thumma - Author
11. 19-Nov-2015 FILED: Motion for Extension of time to File Transcripts (Dawn Maxfield)
12. 20-Nov-2015 ORDERED: Motion for Extension of time to File Transcripts (Dawn Maxfield) = GRANTED. Transcript dated 07/28/15 due date EXTENDED from Friday, 11-13-2015 to Monday, 12-21-2015 or OSC 01/06/16. Hon Samuel A Thumma - Author
13. 24-Nov-2015 FILED: Courtesy Copy - Mohave County Superior Court Minute Entry dated 11/24/15 re: Attorney for defendant
14. 24-Nov-2015 FILED: Courtesy Copy - Mohave County Superior Court Minute Entry dated 11/24/15 re: Attorney for defendant
15. 30-Nov-2015 FILED: Courtesy Copy of Minute Entry Filed in Mohave County Superior Court re: Inmate Request Forms
16. 3-Dec-2015 FILED: Reporters Transcript - 07/28/2015 - (Dawn Maxfield)
17. 13-Dec-2015 FILED: Extension Request (To File Transcripts) (Kimberly Faehn)
18. 16-Dec-2015 FILED: Courtesy Copy of Minute Entry from Mohave County Superior Court re: Request Form
19. 18-Dec-2015 FILED: Reporters Transcript - 07/31/2015 - (Kimberly Faehn)
20. 18-Dec-2015 FILED: Reporters Transcript - 07/29/2015 - (Kimberly Faehn)
21. 18-Dec-2015 FILED: Notice of Completion of Record
22. 25-Jan-2016 FILED: Appellant's Motion to Extend Deadline for Filing Opening Brief; Certificate of Service (Appellant)
23. 27-Jan-2016 ORDERED: Appellant's Motion to Extend Deadline for Filing Opening Brief (Appellant)= GRANTED. Due date EXTENDED from Monday, 02-01-2016 to Wednesday, 03-02-2016. Anthony Mackey ProTem Judge - Author
24. 16-Feb-2016 FILED: Notice of Incomplete Record/Motion to Expand Record on Appeal; Certificate of Service (Appellant)
25. 22-Feb-2016 ORDERED: Motion to Expand Record On Appeal (Appellant) = GRANTED/Transcript due 03/18/16. FURTHER ORDERED: Extending the time to file Opening Brief to 04/18/16. Anthony Mackey ProTem Judge - Author
26. 18-Mar-2016 FILED: Reporter's Transcript 07/29/2015 Voluntariness Hearing (Kimberly Faehn)
27. 15-Apr-2016 FILED: Motion to Extend Deadline for Filing Opening Brief; Certificate of Service (Appellant)
28. 19-Apr-2016 ORDERED: Motion to Extend Deadline for Filing Opening Brief (Appellant) = GRANTED/Due date EXTENDED from Monday, 04-18-2016 to Wednesday, 05-18-2016. Anthony Mackey ProTem Judge - Author
29. 6-May-2016 FILED: Appellant's Opening Brief; Appellant's Certificate of Compliance; Appellant's Certificate of Service (Appellant)
30. 17-Jun-2016 ORDERED: Answering Brief due date EXTENDED from Monday, 06-20-2016 to Wednesday, 07-20-2016. Fred Cole ProTem Judge - Author
31. 27-Jun-2016 FILED: Courtesy Copy - Court Notice/Order/Ruling from Mohave County Superior Court dated 06/21/2016
32. 20-Jul-2016 FILED: Motion for Extension of Time to File Answering Brief; Certificate of Service (Appellee)
33. 21-Jul-2016 ORDERED: Motion for Extension of Time to File Answering Brief (Appellee) = GRANTED/Due date EXTENDED from Wednesday, 07-20-2016 to Friday, 08-19-2016. Anthony Mackey ProTem Judge - Author

**Court of Appeals, Division One**

**Criminal**

**1 CA-CR 15-0630**

**STATE v. TRACY**

**41 PROCEEDING ENTRIES**

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| 34. | 22-Jul-2016 | FILED: Courtesy Copy - Corrected Court Notice/Order/Ruling from Mohave County Superior Court dated 06/21/2016         |
| 35. | 19-Aug-2016 | FILED: Appellee's Answering Brief; Certificate of Compliance; Certificate of Service (Appellee)                       |
| 36. | 30-Aug-2016 | FILED: Memorandum – to Clerk of Superior Court Re: any additional record not already transmitted due within 10 days   |
| 37. | 2-Sep-2016  | FILED: Supplemented Superior Court e-Record with Revised Index of Record  |
| 38. | 12-Sep-2016 | FILED: Appellant's Reply Brief; Appellant's Certificate of Compliance; Appellant's Certificate of Service (Appellant) |
| 39. | 26-Sep-2016 | CLNDR: CONFERENCE, Department C, 11-16-16, COURTROOM 1.   |
| 40. | 5-Jan-2017  | MEMORANDUM DECISION (Affirmed) Hon Jon W Thompson - Author; Hon Diane M Johnsen - Concur; Hon John C Gemmill - Concur |
| 41. | 5-Jan-2017  | FILED: Memorandum Decision Distribution List  |